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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/772,685 | 02/05/2004 | Gregory L. Puckett | 005803.00954 | 5141 |
| 32128 | 7590 | 10/11/2005 | EXAMINER | |
| GABLE & GOTWALS 100 W. FIFTH STREET 10TH FLOOR TULSA, OK 74103 | | | HANNON, THOMAS R | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3682 | |

DATE MAILED: 10/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

He

Office Action Summary

Application No.

10/772,685

Applicant(s)

PUCKETT, GREGORY L.

Examiner

Thomas R. Hannon

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3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 8, 10-17 and 19-21 is/are rejected.
- 7) ☒ Claim(s) 4-7, 9, 18 and 22 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>2/5/04 9/24/04</u> . | 6) <input type="checkbox"/> Other: ____. |

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The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 130D. In the specification this is referred to as 130C. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 8, 13, 14, 16, 17, and 119-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Komplin (4,790,672).

Komplin discloses a bearing for rotatably supporting a cylindrical shaft (24) within a frame internal cylindrical support surface (14) in which the shaft has an external diameter. The shaft is inherently subject to thermal expansion. The bearing comprising a tubular member (12) having opposed ends spaced apart by a distance and having an axial passageway therethrough,

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the outer surface of the member having an external rib (18) adjacent each end, each rib having an external diameter the same as the internal diameter of the support surface, after mounting. The tubular member is positionable in the frame internal cylindrical support surface, the axial passageway being defined by a central bearing surface (20) the same as the external diameter of the shaft, and rotatably receiving the shaft, the bearing surface having a n axial length less than the spacing between the ribs, the bearing being deformable within elastic limits which necessarily permits the internal diameter of he bearing surface to expand to accept thermal expansion of the shaft. With respect to claims 3 and 16, note Figure 3. With respect to claims 19-21, the interrupted flanges (column 2, lines 26-27) correspond to the ribs having at least one shallow depth slit or supplemental slot.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 10, 11, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komplin as applied to claims 1 and 15 above, and further in view of Renard.

Renard discloses a bearing assembly in which the tubular member includes a longitudinal slit, as at least one full depth slot of a length less than the width of the tubular member. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the tubular member of Komplin to include at least one longitudinal slot or slit for the desired purpose of increased flexibility favoring assembly and functioning, as taught and suggested by Renard.

Claims 12 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Komplin as applied to claims 1 and 14 above, and further in view of Wood (Germany 57,1521).

Wood discloses a bearing assembly in which a tubular member is provided with a lubrication hole extending from an external surface to a bearing surface. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Komplin such that the tubular member is provided with a lubrication hole because the use of lubricant in the bearing art is notoriously old and well known, with lubrication holes being a known manner of providing lubricant to a bearing surface, as shown by Wood.

Claims 4-7, 9, 18, and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

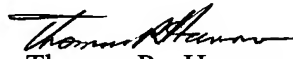
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas R. Hannon whose telephone number is (571) 272-7104. The examiner can normally be reached on Monday-Thursday (8:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Thomas R. Hannon
Primary Examiner
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trh